



STATE BOARD OF EQUALIZATION STAFF LEGISLATIVE BILL ANALYSIS

DRAFT

Date Amended:	06/19/06	Bill No:	SB 470
Tax:	Property	Author:	Ducheny
Related Bills:			

BILL SUMMARY

This bill deletes cross references to an obsolete section of law related to separate property tax assessments for a planned development and makes other nonsubstantive changes.

Summary of Amendments

This bill was amended to delete its prior provisions related to the Timber Yield Tax.

ANALYSIS

Current Law

Existing law in the Revenue and Taxation Code provides for the separate assessment of specified interests in real property under certain conditions.

Those interests include:

- A condominium – Sections 2188.3 and 2188.6
- A planned development - Section 2188.5
- A community apartment project, stock cooperative, or limited equity housing cooperative - Section 2188.7

With respect to this bill, Section 2188.5 details the calculations for determining the separate assessment of real property after it has been divided into a planned development. The assessor must determine the separate valuation for each parcel, so that each property owner will receive a separate property tax bill.

Proposed Law

This bill amends Section 2188.5 to delete obsolete references to the planned developments as defined pursuant to Business and Professions Code Section 11003.1. This section of code was repealed by Chapter 1150 of the Statutes of 1989. Planned developments are currently defined in Business and Professions Code Section 11003.

Comment

This is a housekeeping measure sponsored by the author to improve the property tax laws by deleting obsolete cross references that cause unnecessary confusion in the implementation of the tax laws.

COST AND REVENUE ESTIMATE

No impact.

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